IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

WP(C).No. 7422 of 2004(H)

PETITIONER:

SHIBU, S/O. KUTTAPPAN,
MUNDAYIL KONNATH PUTHEN VEEDU,
PONGANAD, KILIMANOOR, THIRUVANANTHAPURAM.

BY ADV. SRI.GOPAKUMAR R.THALIYAL
SRI.JUBY RAJ

RESPONDENTS:

1. **THE DEPUTY SUPERINTENDENT OF POLICE,**
   CRIME BRANCH C.I.D., THIRUVANANTHAPURAM.

2. **STATE OF KERALA, REPRESENTED BY THE**
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY GOVERNMENT PLEADER SRI.SHYSON P.MANGUZHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.7422/2004 H

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE STATEMENT OF WITNESS IN SESSIONS CASE NO.507/97 ON THE FILES OF THE SESSIONS COURT (FAST TRACK I), THIRUVANANTHAPURAM.**

EXT.P2: **COPY OF THE STATEMENT OF WITNESS IN SESSIONS CASE NO.507/97 ON THE FILES OF THE SESSIONS COURT (FAST TRACK I), THIRUVANANTHAPURAM.**

EXT.P3: **COPY OF THE STATEMENT OF WITNESS IN SESSIONS CASE NO.507/97 ON THE FILES OF THE SESSIONS COURT (FAST TRACK I), THIRUVANANTHAPURAM.**

EXT.P4: **COPY OF THE STATEMENT OF WITNESS IN SESSIONS CASE NO.507/97 ON THE FILES OF THE SESSIONS COURT (FAST TRACK I), THIRUVANANTHAPURAM.**

EXT.P5: **COPY OF THE PETITION CRL.M.P.NO.476/04 IN SESSIONS CASE NO.507/97 FILED BY THE PETITIONER BEFORE THE SESSIONS COURT (FAST TRACK I), THIRUVANANTHAPURAM DTD. 1/03/2004.**

/TRUE COPY/

P.A. TO JUDGE

KSS

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 7422 of 2004

Dated this the 23rd day of July , 2007

JUDGMENT

The grievance of the petitioner, who is the first accused in Sessions Case No.507/97 on the files of the Session Court(Fast Track 1), Thiruvananthapuram is genuine. Statement of a few prosecution witnesses in that case were recorded in Tamil and Kannada. Copies of the statements handed over to the petitioner are not accurate Malayalam translations. Ext.P5 application has been filed by the petitioner before the Sessions court for direction to the prosecution to supply the petitioner with true and accurate Malayalam translations of the statements of the concerned witness. I am informed that Ext.P5 is yet to be finally disposed of by the Sessions Court. The learned Public Prosecutor would submit that translation is under way. Under these circumstances, I dispose of the writ petition issuing the following directions:

The Sessions Court (Fast Track I) Thiruvananthapuram is directed to ensure that that the relief sought for by the petitioner under Ext.P5 is obtained by him within a maximum period of three months of receiving a copy of this judgment. The order of stay presently passed will continue for another period of four months from today.

PIUS C. KURIAKOSE,
JUDGE.

Dpk